

NO. : 5:09-CV-451-H(2)

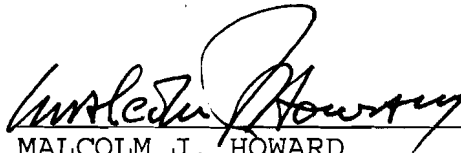
## ORDER

Case 5:09-cv-00451-H Document 47 Filed 06/30/10 Page 1 of 2

should be entered with prejudice because plaintiff has admitted that his claims against GS are baseless and "there is no allegation, evidence [or] forecast of evidence . . . that there is a realistic possibility that new evidence may be discovered that could support Plaintiff's claims against GS." (Resp. to Plf.'s Mot. Dismissal at 2-3.) Plaintiff has not replied, and the time for further filings has expired.

For good cause shown, plaintiff's motion [DE #35] is GRANTED, and plaintiff's claims against defendant GS are DISMISSED WITH PREJUDICE. GS' motion to dismiss [DE #29] is DISMISSED as moot.

This 30<sup>th</sup> day of June 2010.

A handwritten signature in black ink, appearing to read "Malcolm J. Howard", is written over a horizontal line.

MALCOLM J. HOWARD  
Senior United States District Judge

At Greenville, NC  
#31